

#36

Facsimile Transmission to 7033086916

Docket No. JAB1425

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 27 2004

OFFICIAL

Applicants : Bart DE CORTE, et al.
 Serial No. : 09/430,966
 Filed : November 1, 1999
 Title : HIV REPLICATION INHIBITING PYRIMIDINES
 Art Unit : 1624
 Examiner : Venkataraman Balasubramanian
 Confirmation No.: 8053

I hereby certify that this correspondence is being transmitted by facsimile to
 the US PTO Office of Petitions (7033086916) on

January 23, 2004

(Date of transmittal)

TOTAL=12 SHEETS

Jesús Juanós i Timonedá

(Name of applicant, assignee, or Registered Representative)



January 23, 2004

(Date of Signature)

Honorable Commissioner of Patents
 Office of Petitions
 Alexandria, Virginia 22313-1450

PETITION UNDER 37 C.F.R. § 1.313(c)

Dear Sir:

Applicants respectfully request that the above identified application, for which the issue fee was paid on January 7, 2004, be withdrawn from issue in light of the accompanying RCE filing with a submission pursuant to 37 C.F.R. § 1.114.

References that were not previously disclosed in the present case are hereby disclosed with the IDS that is part of the submission accompanying the presently filed RCE.

It is the belief of the Applicants' representative that the present case is within the scope of legal representation provided by customer number 000027777, which encompasses the undersigned amongst its designated patent attorneys. In this regard, Applicants' representative conferred on March 5, 2003, in a telephone conference with the Group 1624 Receptionist

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Serial No. 09/430,966

(7033081235) on the status of the Notice of Appeal filed on December 23, 2003, by the undersigned, who received telephone confirmation that the Notice of Appeal had been entered upon its submission by him as legal representative. However, it has been brought to the undersigned attention, that the US PTO PAIR system does not appear to indicate that the present application is within the scope of the customer number 000027777. To make certain that the legal representative capacity of the undersigned is clearly established, the accompanying RCE also comprises a Associate Power of Attorney, even though the filing of this paper might be redundant if the legal representative capacity of the undersigned is already established through a prior action, such as through the customer number.

Please charge the fee due under 37 C.F.R. § 1.17(h), and any other fee due for the present filing to account number 10-0750-JAB1425-JJiT.

Applicants request the favorable consideration of this Petition and accompanying RCE.

Respectfully submitted,



By:

Jesús Juanós i Timoneda, PhD
Reg. No. 43,332

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1513
Dated: January 23, 2004

Hand Delivered

Docket No. JAB1425

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bart DE CORTE, *et al.*
Serial No. : 09/430,966
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Title : HIV REPLICATION INHIBITING PYRIMIDINES
Art Unit : 1624
Examiner : Venkataraman Balasubramanian
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OFFICE OF PETITIONS

I hereby certify that this correspondence is being hand-delivered to
the US PTO Office of Petitions, Crystal Plaza 4, suite 3C23, 2201 South Clock Place, Arlington, Virginia 22202, on

February 4, 2004

(Date of transmittal)

Victoria Messenger

(Name of person who hand-delivers this Petition)

Victoria Messenger

(Signature)

February 4, 2004

(Date of Signature)

Honorable Commissioner of Patents
Office of Petitions
Arlington, Virginia 22202

PETITION UNDER 37 C.F.R. § 1.313(e)

Dear Sir:

Applicants kindly thank Ms. Karen Creasy for the telephone conference that she had with Applicants' representative on February 3, 2004, in which conference Ms. Creasy indicated that the present Petition could be hand-delivered to her Office. Applicants do hereby report that this Petition and accompanying materials are substantively a copy of the same materials that were filed by facsimile transmission on January 23, 2004, so that no duplicative action is taken upon receipt of whichever set of materials is received later.

Serial No. 09/430,966

Applicants respectfully request that the above identified application, for which the issue fee was paid on January 7, 2004, be withdrawn from issue in light of the accompanying RCE filing with a submission pursuant to 37 C.F.R. § 1.114.

References that were not previously disclosed in the present case are hereby disclosed with the IDS that is part of the submission accompanying the presently filed RCE.

It is the belief of the Applicants' representative that the present case is within the scope of legal representation provided by customer number 000027777, which encompasses the undersigned amongst its designated patent attorneys. In this regard, Applicants' representative conferred on March 5, 2003, in a telephone conference with the Group 1624 Receptionist (7033081235) on the status of the Notice of Appeal filed on December 23, 2003, by the undersigned, who received telephone confirmation that the Notice of Appeal had been entered upon its submission by him as legal representative. However, it has been brought to the undersigned attention, that the US PTO PAIR system does not appear to indicate that the present application is within the scope of the customer number 000027777. To make certain that the legal representative capacity of the undersigned is clearly established, the accompanying RCE also comprises an Associate Power of Attorney, even though the filing of this paper might be redundant if the legal representative capacity of the undersigned is already established through a prior action, such as through the customer number.

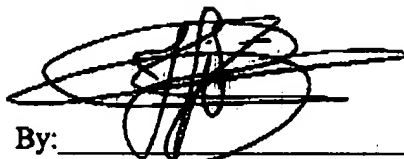
Please charge the fee due under 37 C.F.R. § 1.17(h), and any other fee due for the present filing to account number 10-0750-JAB1425-JJT.

Serial No. 09/430,966

Applicants request the favorable consideration of this Petition and accompanying

RCE.

Respectfully submitted,



By:

Jesús Juanós i Timoneda, PhD
Reg. No. 43,332

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
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Dated: February 3, 2004